STATE OF ARIZONA FILED

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STATE OF ARIZONA

DEPARTMENT OF INSURANCE

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In the Matter of:)	
) N	lo. 09A-032-INS
GARGI CHATTERJEE)	
(License number 925168)) C	ONSENT ORDER
)	
		learing 5/12/09, 1:30 p.m.
D) 4	LJ Thomas Shedden
Respondent)	
)	

The State of Arizona Department of Insurance ("Department") has received evidence that **Gargi Chatterjee** has violated provisions of Title 20, Arizona Revised Statutes ("A.R.S."). Respondent wishes to resolve this matter without the commencement of formal proceedings, and admits the following Findings of Fact are true and consents to entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

- 1. Gargi Chatterjee ("Respondent") is, and was at all material times licensed as a resident life and variable life/variable annuities producer, Arizona license number 925168 which expires September 30, 2011.
- 2. Respondent's mailing, business and residence addresses of record with the Department are: c/o Chase Insurance, 2790 E. Germann, Chandler, Arizona 85249 (business and mailing); 4157 E. Karsten Drive, Chandler, Arizona 85249 (residence).
- 3. On or about August 7, 2008, the Department issued to Respondent an insurance license as a resident life and variable life/variable annuities producer, Arizona license number 925168.
- 4. On September 10, 2008, the Department notified Respondent by mail at her business/mailing address of record that her fingerprint card had been processed and returned by the Federal Bureau of Investigation ("FBI") as illegible. The Department requested a replacement set of fingerprints along with a completed "Illegible Fingerprint Replacement Form" on or before October 16, 2008.

- 5. On December 23, 2008, the Department notified Respondent by mail at her residence address of record that it was about to initiate an administrative action against her license for failure to comply with the fingerprint requirement. The Department requested a response by January 14, 2009.
- 6. To date, Respondent has not submitted a full set of fingerprints to the Department.
- 7. On March 30, 2009, the Department set a hearing and issued a Notice of Hearing for revocation of Respondent's license.

CONCLUSIONS OF LAW

- 1. The Director has jurisdiction over this matter.
- 2. Respondent's conduct as described above constitutes the violation of the requirement that an applicant submit a full set of fingerprints to the Department within the meaning of A.R.S. § 20-285(F)(2).
- 3. Respondent's conduct as described above constitutes providing incomplete information in the license application within the meaning of A.R.S. § 20-295(A)(1).
- 4. Respondent's conduct as described above constitutes the violation of any provision of A.R.S. Title 20 or any rule, subpoena or order of the director within the meaning of A.R.S.§20-295(A)(2).
- 5. Grounds exist for the Director to suspend, revoke, or refuse to renew Respondent's insurance license, pursuant to A.R.S. §§20-295(A).
- 6. Grounds exist for the Director to impose, in addition to or instead of any suspension, revocation or refusal to renew, a civil penalty of not more than \$250.00 for each unintentional failure or violation, up to an aggregate civil penalty of \$2,500.00, or a civil penalty of not more than \$2,500.00 for each intentional failure or violation, up to an aggregate penalty of \$15,000.00, within the meaning of A.R.S. § 20-295(F).

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ORDER

IT IS HEREBY ORDERED THAT:

- 1. Respondent shall immediately submit to the Department a full set of fingerprints and an Illegible Fingerprint Replacement Form.
- 2. Respondent shall immediately pay to the Department a civil money penalty in the amount of \$250.00.
- 3. The hearing, Docket # 09A-032-INS, scheduled for May 12, 2009, at 1:30 p.m. is vacated.

Director of Insurance

CONSENT TO ORDER

- 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.
- 2. Respondent admits to the jurisdiction of the Director of Insurance, State of Arizona, and admits the foregoing Findings of Fact and consents to the entry of the foregoing Conclusions of Law and Order.
- 3. Respondent is aware of her right to notice and a hearing at which she may be represented by counsel, present evidence and examine witnesses. Respondent irrevocably waives her right to such notice and hearing and to any court appeals relating to this Consent Order.

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- 4. Respondent states that no promise of any kind or nature whatsoever, except as expressly contained in this Consent Order, was made to her to induce her to enter into this Consent Order and that she has entered into this Consent Order voluntarily.
- 5. Respondent acknowledges that the acceptance of this Consent Order by the Director is solely to settle this matter against her and does not preclude any other agency, officer, or subdivision of this state including the Department from instituting civil or criminal proceedings as may be appropriate now or in the future not related to this matter.
- 6. Respondent acknowledges that this Consent Order is an administrative action that the Department will report to the National Association of Insurance Commissioners (NAIC). Respondent further acknowledges that she must report this administrative action to any and all states in which she holds an insurance license and must disclose this administrative action on any license application.

04/14/2009

Gargi Chatterjee, Arizona License #925168

COPIES of the foregoing mailed/delivered this 16th day of ____April___, 2009, to:

Gargi Chatterjee 4157 E. Karsten Drive Chandler, Arizona 85249 Respondent

Mary E. Kosinski, Exec. Assistant for Regulatory Affairs Catherine M. O'Neil, Consumer Legal Affairs Officer Steven Fromholtz, Licensing Supervisor Department of Insurance 2910 North 44th Street, Suite 210 Phoenix, Arizona 85018

Thomas Shedden, Administrative Law Judge Office of Administrative Hearings 1400 West Washington, Suite 101 Phoenix, AZ 85007

Curvey Walters Burton